

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUSTIN M. BRAY,

Defendants.

No. 18-cr-40035-JPG

**MEMORANDUM AND ORDER**

This matter Comes before the court on a May 14, 2021, letter from defendant Justin M. Bray, which the Court has construed as a motion for a sentence reduction (Doc. 60). Bray complains of the calculation of sentence credit for time served on state charges for which the sentence was to run concurrent with Bray's federal sentence.

The proper mechanism for Bray's complaint is not in the sentencing court but via a petition under 28 U.S.C. § 2241 filed against his custodian in the district in which he is incarcerated after he has exhausted his administrative remedies. *See Setser v. United States*, 566 U.S. 231, 244 (2012); *Preiser v. Rodriguez*, 411 U.S. 475, 487 (1973); *United States v. Walker*, 917 F.3d 989, 994 (7th Cir. 2019) (noting inmate may challenge the computation of his sentence by a § 2241 petition after first seeking relief through the BOP's administrative procedures). Accordingly, the Court **DENIES** Bray's motion **without prejudice** (Doc. 60) and **DIRECTS** the Clerk of Court to send him a § 2241 petition form.

**IT IS SO ORDERED.**

**DATED: August 18, 2021**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**